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June 20, 2023

**VIA ECF**

Hon. Paul G. Gardephe, U.S.D.J.  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2204  
New York, NY 10007

Re: Seaman et al. v. Nat'l Collegiate Student Loan Trust 2007-2 et al., 18-CV-1781  
Bifulco et al. v. Nat'l Collegiate Student Loan Trust 2004-2 et al., 18-CV-7692

Dear Judge Gardephe:

We represent Plaintiffs in the above-referenced actions and write to advise of recent events further confirming why this Court should deny Defendants' pending motions asserting lack of standing. (Dkt. Nos. 371 & 408 in Case No 18-CV-1781).

Pending before the Court are Defendants' Rule 72 objections, (Dkt. No. 433), to Magistrate Judge Moses's finding that Plaintiffs have Article III standing to assert their claims, (*see* Report & Recommendation of Mar. 13, 2023, at 38–48 (Dkt. No. 423)).

Several days ago, the National Collegiate Student Loan Trust and Transworld Defendants filed a brief arguing for Article III standing for claims analogous to Plaintiffs' claims here. *See* It. Brief, at 15–23, in *Browne v. Nat'l Collegiate Student Loan Trust et al.*, No. 23-2017 (3d Cir. June 12, 2023) (Document 12) [annexed hereto as Attachment 1]. The Trusts named in *Browne* include all Trust Defendants herein, and they and the Transworld Defendants are represented by the same counsel as here.

Since Defendants concede standing, this Court need not address their objections to Magistrate Judge Moses's finding on standing, and should deny their motions.

Respectfully,

/s/ Gregory A. Frank

cc: All Counsel of Record (via ECF)